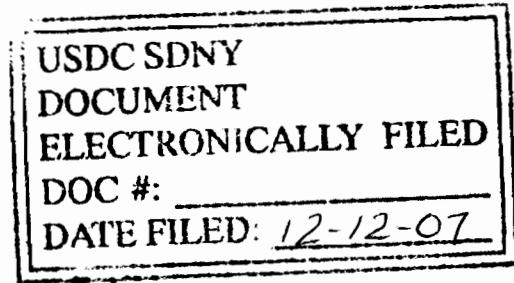


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DOCKET NO. 04 M.D. 1598 (JSR)

	x
=====	:
IN RE EPHEDRA PRODUCTS	:
LIABILITY LITIGATION	x
=====	:
	:
KELLY WALKER,	:
	:
Plaintiff,	:
	:
v.	:
	:
N.V.E. PHARMACEUTICALS, INC., et al.	:
	:
Defendants.	:
=====	x

PERTAINS TO DOCKET NO. 1:07-cv-8146 (JSR); 1:06-cv-13024 (JSR)



**STIPULATION AND AGREED ORDER OF DISMISSAL WITH PREJUDICE**

Pursuant to this Court's Case Management Order No. 2, Plaintiff Kelly Walker, and Defendants N.V.E. Pharmaceuticals, Inc.; N.V.E., Inc. ("NVE, Inc."); Robert Occhifinto (individually and as an officer or agent of N.V.E., Inc.); and ZamZam, Inc., by and through counsel, being in agreement, hereby advise the Court that Plaintiff's Complaint against all Defendants, including Bashier Wholesale Distributors, Inc., should be dismissed, with prejudice, each party to bear its own costs.

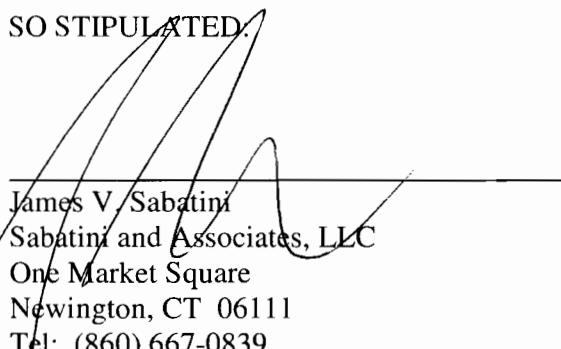
Based upon the agreement of the parties as set forth above;

IT IS ORDERED that Plaintiff's Complaint against all Defendants, be, and the same is hereby, DISMISSED, with prejudice, each party to bear its own costs.

SO ORDERED this 11<sup>th</sup> day of December, 2007.

  
JED S. RAKOFF  
JUDGE, UNITED STATES DISTRICT COURT

SO STIPULATED:

  
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